

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)****Title of Invention** RESOLUTION OF α -(PHENOXY)PHENYLACETIC ACID DERIVATIVES

As the below named inventor(s), I/we declare that:

This declaration is directed to:

The attached application, or
 Application No. 10/656,567, filed on September 4, 2003,
 as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)Inventor 1 Edward D. Daugs Date: 5 Jan 2004Signature: Edward D. Daugs Citizen of: United States

Inventor 2 _____ Date: _____

Signature: _____ Citizen of: _____

Inventor 3 _____ Date: _____

Signature: _____ Citizen of: _____

Inventor 4 _____ Date: _____

Signature: _____ Citizen of: _____

Additional inventors are being named on 60000855 v1 additional form(s) attached hereto.



Please type a plus sign (+) inside this box →

**POWER OF ATTORNEY OR
AUTHORIZATION OF AGENT**

POWER OF ATTORNEY OR AUTHORIZATION OF AGENT	Application Number	10/656,567
	Filing Date	September 4, 2003
	First Named Inventor	Edward D. Daugs
	Title	RESOLUTION OF α - (PHENOXY)PHENYLACETIC ACID DERIVATIVES
	Group Art Unit	1614
	Examiner Name	
	Attorney Docket Number	016325-008510

I hereby appoint:

Practitioners at Customer Number

OR

Practitioner(s) named below:

Name	Registration Number

20350

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Number Bar Code
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as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

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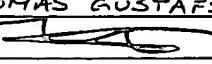
I am the:

Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name	THOMAS GUSTAFSON
Signature	
Date	JANUARY 13, 2004

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

*Total of 1 form is submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Edward D. Daugs

Application No./Patent No.: 10/656,567 Filed/Issue Date: September 4, 2003

Entitled: RESOLUTION OF α -(PHENOXY)PHENYLACETIC ACID DERIVATIVES

METABOLEX, INC. a corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

(Name of Assignee) _____ (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.) _____

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title, and interest; or
2. an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel ____, Frame ____, or for which a copy thereof is attached.

OR

B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8.]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

JANUARY 13, 2004
Date

Date _____

Sign this statement on behalf of the assignee


Signature
THOMAS GUSTAFSON
Patrick O'Mara

Typed or printed name

VP, BIOLOGY
Title